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May 20, 2004

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Pat D Kitchell  
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Pat D Kitchell  
Signature

May 20, 2004  
Date of Signature

Re:   Invention:   MIXING VALVE  
      Inventor:    KLINE, Kevin B.  
      Serial No.:  10/783,502  
      Art Unit:    3753  
      Filed:       February 20, 2004  
      Our File No.: P00799-US-01 (20680.0001)

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. § 1.97(b), this Information Disclosure Statement is being filed within three months of the filing date of the above-referenced national patent application which is not a continued prosecution application. Applicant is not certain of the first date of publication of the enclosed publications, however, Applicant does know that the references were published at least by the dates listed in the Information Disclosure Statement, which is more than one year prior to its filing date. Applicant does not believe that a fee needs to accompany the Information Disclosure Statement as it is being filed within three months of the filing date of the above-referenced patent application.

May 20, 2004

In the event Applicant has inadvertently overlooked the need for payment of a fee, Applicant hereby conditionally petitions therefore and authorizes that any such charges be made to Deposit Account 09-0007. In the event the examiner has to charge the Deposit Account, the Applicant respectfully request that the examiner reference our File No. P00799-US-01.

Respectfully Submitted,

ICE MILLER



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Date: May 20, 2004

DSD/pdr

Enclosure:      Return Postcard  
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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>Substitute for form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b>	
		Application Number	10/783,502
		Filing Date	February 20, 2004
		First Named Inventor	KLINE, Kevin B.
		Art Unit	3753
		Examiner Name	N/A
Sheet 1	of 1	Attorney Docket Number	P00799-US-01

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 3,929,283 A	12-30-1975	Delpa	
		US- 5,011,074	04-30-1991	Kline	
		US- 5,806,761 A	09-15-01998	Enoki, et al.	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

Examiner Signature	/Marc Norman/	Date Considered	03/16/2009
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /MN/